

JCS20 U.S. PTO  
03/21/00

3/12

Please type a plus sign (+) inside this box → ☒

PTO/SB/05 (4/98)  
Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. **21 PCT**  
First Inventor or Application Identifier **Xi Wang**  
Title **Chimeric Protein For the Diagnostic...**  
Express Mail Label No.

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages **44**]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **9**]
4. Oath or Declaration [Total Pages **1**]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 16 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

\* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY  
FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT  
IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☐ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
13. ☐ \* Small Entity Statement(s) ☐ Statement filed in prior application,  
(PTO/SB/09-12) Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☐ Other: .....

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. **PCT / US98/27408**

Prior application information: Examiner .....

Group / Art Unit: .....

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	Mark Farber				
Address	Alexion Pharmaceuticals, Inc.				
	25 Science Park, Suite 360				
	New Haven, CT. 06511				
City		State		Zip Code	
Country	U.S.	Telephone		Fax	

Name (Print/Type)	Mark Farber	Registration No. (Attorney/Agent)	34,159
Signature	<i>Mark Farber</i>	Date	3/21/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2000</h2> <p style="font-size: small; margin: 0;">Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</p>		<b>Complete if Known</b>	
<b>TOTAL AMOUNT OF PAYMENT</b> (\$)		Application Number: <b>PCT/US98/27408</b>	Filing Date: <b>23 December 1998</b>
First Named Inventor: <b>Yi Wang</b>		Examiner Name:	
Group / Art Unit:		Attorney Docket No.: <b>21 PCT</b>	

<h3 style="text-align: center; margin: 0;">METHOD OF PAYMENT (check one)</h3> <p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: <b>01-0483</b></p> <p>Deposit Account Name: <b>Alexion Pharmaceuticals, Inc.</b></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other</p>	<h3 style="text-align: center; margin: 0;">FEE CALCULATION (continued)</h3> <h4 style="margin: 0;">3. ADDITIONAL FEES</h4> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,360</td><td>218</td><td>680</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>260</td><td>221</td><td>130</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,210</td><td>241</td><td>605</td><td>Petition to revive - unintentional</td><td>\$ 605.00</td></tr> <tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>430</td><td>243</td><td>215</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>580</td><td>244</td><td>290</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>690</td><td>246</td><td>345</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>690</td><td>249</td><td>345</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td></tr> <tr><td colspan="5">Other fee (specify) _____</td></tr> <tr> <td colspan="4" style="text-align: right;"> <b>Reduced by Basic Filing Fee Paid</b> </td> <td style="text-align: right;"> <b>SUBTOTAL (3) (\$ 605.00)</b> </td> </tr> </tbody> </table>	Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	380	216	190	Extension for reply within second month		117	870	217	435	Extension for reply within third month		118	1,360	218	680	Extension for reply within fourth month		128	1,850	228	925	Extension for reply within fifth month		119	300	219	150	Notice of Appeal		120	300	220	150	Filing a brief in support of an appeal		121	260	221	130	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,210	241	605	Petition to revive - unintentional	\$ 605.00	142	1,210	242	605	Utility issue fee (or reissue)		143	430	243	215	Design issue fee		144	580	244	290	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))		149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))		Other fee (specify) _____					Other fee (specify) _____					<b>Reduced by Basic Filing Fee Paid</b>				<b>SUBTOTAL (3) (\$ 605.00)</b>
Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																													
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																													
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																													
139	130	139	130	Non-English specification																																																																																																																																																																													
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																													
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																													
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																													
115	110	215	55	Extension for reply within first month																																																																																																																																																																													
116	380	216	190	Extension for reply within second month																																																																																																																																																																													
117	870	217	435	Extension for reply within third month																																																																																																																																																																													
118	1,360	218	680	Extension for reply within fourth month																																																																																																																																																																													
128	1,850	228	925	Extension for reply within fifth month																																																																																																																																																																													
119	300	219	150	Notice of Appeal																																																																																																																																																																													
120	300	220	150	Filing a brief in support of an appeal																																																																																																																																																																													
121	260	221	130	Request for oral hearing																																																																																																																																																																													
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																													
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																													
141	1,210	241	605	Petition to revive - unintentional	\$ 605.00																																																																																																																																																																												
142	1,210	242	605	Utility issue fee (or reissue)																																																																																																																																																																													
143	430	243	215	Design issue fee																																																																																																																																																																													
144	580	244	290	Plant issue fee																																																																																																																																																																													
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																													
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																													
126	240	126	240	Submission of Information Disclosure Stmt																																																																																																																																																																													
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																													
146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																													
149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																													
Other fee (specify) _____																																																																																																																																																																																	
Other fee (specify) _____																																																																																																																																																																																	
<b>Reduced by Basic Filing Fee Paid</b>				<b>SUBTOTAL (3) (\$ 605.00)</b>																																																																																																																																																																													

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	
101	690	201	345	Utility filing fee	\$ 345.00
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
114	150	214	75	Provisional filing fee	
<b>SUBTOTAL (1) (\$ 345.00)</b>					

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
18	20** = 0	18	0
9	3** = 6	39	\$ 234.00
Multiple Dependent			

\*\*or number previously paid, if greater; For Reissues, see below

#### Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description		
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$ 234.00)</b>				

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Mark Farber	Registration No. (Attorney/Agent)	34,159
Signature	<i>Mark Farber</i>	Telephone	(203) 776-1790
		Date	3/21/00

**WARNING:**

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

03/21/00  
JC520 U.S. PRO

Docket: 21

JC525 U.S. PRO  
09/528225  
03/21/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wang et al.  
Filed: December 23, 1998 Group: Unassigned  
Serial No: PCT/US98/27408 Examiner: Unassigned  
For: **Chimeric Proteins For Diagnosis And Treatment Of Diabetes**

APPLICATION TRANSMITTAL LETTER

Asst. Commissioner For Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the ☒ utility ☐ design patent application in this case including:

1. ☐ This application is a ☐ Continuation; ☐ Divisional  
☐ Continuation in Part of prior application Serial  
No. \_\_\_\_\_ filed on \_\_\_\_\_ [entire  
genealogy should be set forth].
2. ☐ This application claims priority from Provisional  
Application No. \_\_\_\_\_, filed \_\_\_\_\_.
3. ☐ The application consisting of 44 pages (including  
specification, claims and abstract).
4. ☐ 2 sheet(s) of drawings is enclosed. The drawings are:
  - a. ☐ formal; or
  - b. ☒ informal; formal drawings will be submitted in due course.
5. ☐ A signed declaration and power of attorney is enclosed.
6. ☒ A declaration and power of attorney is not enclosed at this  
time since it has not been executed by the inventor(s). A  
signed declaration and power of attorney will be submitted  
in due course.

The inventor(s) is/are \_\_\_\_\_.


7. ☐ An Assignment of the invention to \_\_\_\_\_ is enclosed. Please record the Assignment and return it to the undersigned. **TWO DUPLICATE COPIES OF THIS PAPER ARE ENCLOSED.**
8. ☐ The Application filing fee is calculated below.

	No. Filed	No. Extra*	Rate:	Fee
Basic Fee:				\$ 345.00
Total Claims:	18 - 20 =	0	x 9.00	\$ 0.00
Indep Claims:	9 - 3 =	6	x 39.00	\$ 234.00
<input type="checkbox"/> Multiple Dependent Claims Presented				+ \$270.00 \$ <u>0.00</u>
<b>TOTAL:</b>				<b>\$ <u>579.00</u></b>

9. ☐ Please charge Deposit Account No. 01-0483 in the amount of \$\_\_\_\_\_ which includes filing fee and recordation fee). **TWO DUPLICATE COPIES OF THIS PAPER ARE ENCLOSED.**
10. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this application, or credit any overpayment to Deposit Account No. 01-0483. **TWO DUPLICATE COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully submitted,

Date: 3/21/00

  
Mark Farber  
Reg. No. 34,159  
Attorney for Applicant

Mark Farber  
C/O  
Alexion Pharmaceuticals, Inc.  
25 Science Park, Suite 360  
New Haven, CT. 06511

03/21/00  
JC520 U.S. PTO

Docket No. 21 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wang et al.

Serial No: PCT/US98/27408

Examiner: Unassigned

Filed: December 23, 1998

Group: Unassigned

**For: Chimeric Proteins For Diagnosis and Treatment of Diabetes**

38 CFR §1.137 (b) PETITION FOR REVIVAL OF UNINTENTIONALLY  
ABANDONED APPLICATION

Asst. Commissioner For Patents  
Washington, DC 20231

Sir:

An Office Action was mailed by the United States Patent and Trademark Office on January 5, 1999. No response has been filed to date. Therefore, the application has become abandoned (although no Notice of Abandonment has been received from the USPTO). Such abandonment was unintentional.

Applicants respectfully petition for revival of the above identified application under the provisions of 37 CFR §1.137 (b). This petition is made within one year from the date of abandonment.

Enclosed is a check for the petition fee of \$ 605.00 as required under 37 CFR § 1.17 (m).

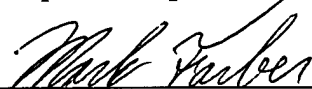
As a proposed response enclosed please find a Transmittal Letter and fee for a filing a patent application under 35 USC § 371.

All the requirements of 37 CFR §1.137 (b) having been complied with, it is courteously requested that this application be restored to pending status.

The Commissioner is hereby authorized to charge any additional fees which may be required for this application, or credit any overpayment to Deposit Account No. **TWO DUPLICATE COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully Submitted,

Date: 3/21/00



Mark Farber  
Reg. No. 34,159  
Attorney for Applicant

Mark Farber  
C/O  
Alexion Pharmaceuticals, Inc.  
25 Science Park, Suite 360  
New Haven, CT 06511

JCS25 U.S. PTO  
09/528225  
03/21/00

A

Docket No. 21 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wang et al.

Serial No: PCT/US98/27408

Examiner: Unassigned

Filed: December 23, 1998

Group: Unassigned

**For: Chimeric Proteins For Diagnosis and Treatment of Diabetes**

Assistant Commissioner for Patents  
Washington, D.C. 20231

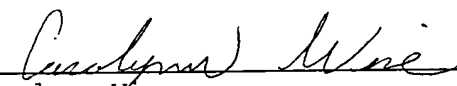
CERTIFICATE OF EXPRESS MAILING

Date of Deposit: March 21, 2000  
EXPRESS MAILING NUMBER: EJ513609638US

I hereby certify that the following:

- ☒ This Certificate of Mailing
- ☒ Petition to Revoke
- ☒ Fee Transmittal for FY 2000
- ☒ Utility Patent Application Transmittal
- ☒ Application Transmittal Letter
- ☒ Check
- ☒ Return postcard

are being deposited with the United States Postal Service first-class mail on the Date of Deposit indicated above in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

  
Carolynn Wise

Alexion Pharmaceuticals, Inc.  
25 Science Park, Suite 360  
New Haven, CT. 06511